ORIGINAL

RECEIVED
FEB - 8 1995

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
Policies and Rules Concerning	)	CC Docket No. 94-129
Unauthorized Changes of Consumers'	)	
Long Distance Carriers	)	

DOCKET FILE COPY ORIGINAL

REPLY COMMENTS OF L.D. SERVICES, INC.

Andrew D. Lipman
Michael C. Wu

SWIDLER & BERLIN, Chartered
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007
(202) 424-7618

Attorneys for L.D. Services, Inc.

No. of Copies rec'd 0+5
List A B C D E

TABLE OF CONTENTS

SUMMARY

The commenting parties generally agree that the Commission's rules governing the change of primary interexchange carriers ("PIC") should communicate clearly with consumers. In its initial comments, L.D. Services, Inc. ("LDS") also expressed its support for the Commission's efforts to assure that customers are not misled, but suggested that the Commission should revise the proposed rules because they discourage not only deceptive practices but also legitimate marketing efforts. The majority of commenting parties concurred with LDS that the Commission's PIC change rules should not unnecessarily limit the ability of carriers to compete for customers. Consistent with the comments of a number of other parties, LDS believes that the Commission should adopt a more carefully tailored approach so that its rules target only instances of specific customer harm without inhibiting the marketing flexibility of interexchange carriers ("IXC"). In particular, LDS agrees with a number of commenters who support the adoption of Sections 64.1150 (d) and (e) because such rules encourage clarity without unduly restricting legitimate IXC marketing practices.

In addition, LDS believes that a consumer should be responsible for reasonable long distance charges due to a carrier. LDS believes that this approach is prudent because any compensation scheme for unauthorized PIC changes should make consumers "whole" without providing any incentives to obtain service without payment.

Finally, LDS respectfully urges the Commission to clarify that it will preempt any inconsistent state PIC change rules in order to create a uniform nationwide standard for Letters of Agency. Specifically, LDS believes that preemption will assure that there is no confusion about what requirements apply, and will prevent carriers from being subject to a potentially inconsistent patchwork of regulations that would cause administrative burdens and increase consumer prices.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers	))))	CC Docket No. 94-129

REPLY COMMENTS OF L.D. SERVICES, INC.

L.D. Services, Inc. ("LDS"), by its undersigned attorneys, hereby submits its reply comments in the above-captioned proceeding. The commenters in this proceeding agree that carriers should communicate clearly with customers and avoid misleading marketing. LDS' initial comments expressed reservations with the proposed rules because they unduly restrict legitimate marketing practices. The majority of commenting parties agree that the rules should not unnecessarily limit the ability of carriers to compete for customers. *See America's Carriers Telecommunications Association ("ACTA") Comments at 2-3; AT&T Corp. ("AT&T") Comments at 2; Competitive Telecommunications Association ("CompTel") Comments at 2-3; Home Owners Long Distance, Inc. ("HOLD") Comments at 2; MCI Telecommunications Corporation ("MCI") Comments at 3-4; MIDCOM Communications, Inc. ("MIDCOM") Comments at 3; One Call Communications, Inc. ("One Call") Comments at 3; Operator Service Company ("OSC") Comments at 3; Sprint Communications Company ("Sprint") Comments at 2; Telecommunications Reseller Association ("TRA") Comments at 4; and Touch 1, Inc. and Touch 1 Communications, Inc. (collectively "Touch 1") Comments at 2.*

As a number of parties correctly point out, in the prior proceedings the Commission has sought to facilitate the marketing efforts of interexchange carriers ("IXCs") while maintaining the consumer protection goals embodied in primary interexchange carrier ("PIC") change rules.[1/] *See, e.g., CompTel Comments at 3; MIDCOM Comments at 4; TRA Comments at 5-6.* LDS believes that Sections 64.1150 (d) and (e) are sufficiently tailored to protect consumers without limiting legitimate IXC marketing practices.

Consumers who believe they have been subjected to unauthorized PIC changes should still be responsible for reasonable long distance charges. LDS believes that this approach is prudent because any compensation scheme for unauthorized PIC changes should make consumers "whole" without providing any incentives to obtain service without payment. Finally, LDS joins a number of parties in urging the Commission to preempt conflicting state PIC change regulations.

[1/] *See Policies and Rules Concerning Changing Long Distance Carriers,7* FCC Rcd. 1038 (1992), *recon. denied,* 8 FCC Rcd. 3215 (1993) (Commission stated that "[in] considering the advisability of imposing requirements on carriers of all sizes, we seek to benefit consumers without unreasonably burdening competition in the interexchange market."); *Illinois Citizens Utility Board Petition for Rulemaking,* 2 FCC Rcd 1726 (1987) (Commission stated that its intent in a prior proceeding was to "clearly facilitate the IXCs' marketing efforts while maintaining the protection embodied in the letter of agency requirement.").

I. THE COMMISSION SHOULD MAINTAIN ITS TRADITIONAL BALANCE BETWEEN CONSUMER PROTECTION AND PROMOTING COMPETITION

A. The Proposed Rules Governing Content for LOAs should be Narrowly Tailored and Achieve Proper Balance

LDS, along with a number of other commenters supports the Commission's belief that the requirements governing letters of agency ("LOAs") should be codified into "one standard rule."[2] *E.g., AT&T Comments at 9; MIDCOM Comments at 5; Touch 1 Comments at 4; TRA Comments at 6.* ACTA properly recognizes the fact that "[c]lear and reasonable guidelines are viewed [by resale carriers] as having [a] direct benefit for the resale industry by promoting more competitive resale and greater interexchange competition."[3] *ACTA Comments at 6.*

PIC change rules should establish a common standard by which all carriers must abide. *See, e.g., AT&T Comments at 9; CompTel Comments at 2; OSC Comments at 2.* Specifically, LDS agrees with a number of commenting parties in their support for Section 64.1150(d), which establishes a standard that LOAs should be clear and unambiguous, and contain certain fundamental information. *See, e.g., Allnet Comments at 3; ACTA Comments at 7; Touch 1 Comments at 4.* Similarly, LDS concurs with the views of those commenters who support Section 64.1150(e) which

---

[2] *NPRM* at ¶¶ 8-10.

[3] As LDS pointed out in its initial comments, clear PIC change rules serve to supplement the natural market incentives for carriers to communicate clearly with their customers. Carriers have a vested interest in establishing a relationship based on trust with their customers, and building a reputation for integrity. They also have an interest in avoiding the disruption and expense generated by deceptive marketing, including payment of PIC change charges, resources expended in dispute resolution, and loss of customer goodwill. *See* ACTA *Comments at 2 & 6.*

prohibits carriers from switching subscribers who fail to respond to a solicitation (i.e., negative option LOAs). *See, e.g., AT&T Comments at 12; Sprint Comments at 1; New York Department of Public Service ("NYDPS") Comments at 2; MCI Comments at 3.*

LDS also concurs with the views of MCI, Touch 1 and TRA that these two sections are tailored to offer sufficient protection to consumers without limiting legitimate marketing practices. *Touch 1 Comments at 4; TRA Comments at 7; MCI Comments at 3-4.* Furthermore, LDS joins these parties in their belief that any greater degree of LOA specificity is unnecessary. In particular, LDS agrees with the commenters who urge the Commission to refrain from mandating the text, title, specific font or point size for LOAs. *See AT&T Comments at 10; CompTel Comments at 7; TRA Comments at 7.* LDS submits that such requirements are not necessary in light of the underlying requirements of content, clarity and legibility set forth in Section 64.1150(d).[4] As MIDCOM, TRA and Touch 1 recognize, such specificity is not necessary to protect consumers, and can cause additional costs and administrative expenses. *MIDCOM Comments at 6-6; TRA Comments at 7-8; Touch 1 Comments at 4-5.* Ultimately, consumers would bear the burden of the additional costs (in the form of higher rates) that would result from such requirements.

---

[4] While LDS fully supports enforcement actions against carriers who engage in deceptive practices, LDS disagrees with the suggestions of the National Association of Attorneys General Telecommunications Subcommittee ("AG"), Southwestern Bell Telephone Company's ("SWBT"), and the NYNEX Telephone Companies ("NYNEX") that the Commission's rules should prescribe the specific form and content for LOAs. *AG Comments at 5; NYNEX Comments at 3; SWBT Comments at 2.* Such requirements would generate needless expenses without providing any offsetting consumer benefits.

B. The Proposed Rules Would Frustrate Legitimate Marketing Efforts

LDS shares the concerns expressed by numerous commenters that the proposed rules unnecessarily restrict legitimate and fair marketing practices. *See AT&T Comments at 12; MCI Comments at 3; Sprint Comments at 2; TRA Comments at 9; Touch 1 Comments at 6.* LDS agrees with MCI, *inter alia,* that proposals such as the prohibition of LOAs from being used in conjunction with "inducements" of any kind on the same document would unfairly impact the legitimate marketing efforts of many IXCs. *E.g., MCI Comments at 4.* It is clear that there is widespread agreement within the industry that such rules will have a negative and anti-competitive impact on the IXC industry. *MCI Comments at 4; TRA Comments at 12; Touch 1 Comments at 7; One Call Comments at 3.*

As MCI correctly points out, "[i]t is critically important that the Commission recognize that the interexchange marketplace, while becoming more competitive than it has been at any time in the past, still is dominated by a single carrier, AT&T . . ., which possesses more than a 60-percent market share of the interexchange long distance market."[5] *MCI Comments at 4.* LDS also concurs with MIDCOM, Touch 1

---

[5] In addition, AT&T recently announced its best long-distance and equipment revenues since the 1984 breakup of the AT&T monopoly. John J. Keller, *Surge in Profit for 4th Period, Revenues in Long Distance, Equipment Were Best Since 1984 Divestiture,* The Wall Street Journal, Jan. 25, 1995, at A2. Analysts noted that "AT&T now has the same revenue as the entire Bell system just before the breakup in 1984, when they spun off about 85 percent of their assets." *AT&T's '94 Profit Highest Since '84 Breakup*, The Washington Post, Jan. 25, 1995, at F4. AT&T representatives stated that its aggressive marketing campaign in the long distance arena reversed its recent loss of market share and added one million new residential customers. *Company Reports; Profits Hit High for Year at&T*, The New York Times, Jan. 25, 1995, at D4.

and TRA that in an industry in which one carrier holds a 60 percent market share and three carriers control more than 85 percent of the market, any limitations on marketing should be closely scrutinized because of the inordinate impact on small to mid-sized carriers which occupy the remaining 10 to 15 percent of the market. *MIDCOM Comments at 10; TRA Comments at 12; Touch 1 Comments at 7.* Therefore, LDS submits that the Commission should accord substantial marketing flexibility to those carriers who seek to compete with the large, established providers.[6] Moreover, LDS submits that under the existing market conditions, the imposition of undue restrictions on legitimate and reasonable marketing practices will be detrimental to competition, and, ultimately, will harm consumers by increasing their rates.

Accordingly, LDS joins a number of parties in their criticism that Sections 64.1150(b) -- an LOA must be a separate document -- and 64.1150(c) -- an LOA must not be combined with inducements of any kind -- unnecessarily interfere with legitimate marketing efforts without providing concomitant benefits of preventing customer confusion. AT&T correctly recognizes that Section 64.1150(d)[7] provides sufficient protection for customers, and that the proposed rule "barring combined LOA/inducements goes far beyond what is necessary to protect telephone subscribers from abuses or deception . . . ." *AT&T Comments at 12-13.* In particular, LDS urges the Commission to heed the warnings of many of the

---

[6] As ACTA recognized, "[a]s a practical matter, little attention has been paid to the conditions affecting the resale segment of the marketplace." *ACTA Comments at 2.*

[7] As discussed above, Section 64.115(d) already requires that LOAs be clearly and unambiguously set forth in legible typeface.

commenters that the proposed rules will unduly handicap small and medium sized IXCs by raising their administrative costs and restricting their ability to use marketing inducements to attract customers from the three dominant IXCs. *See ACTA Comments at 2; HOLD Comments at 2; One Call Comments at 3; TRA Comments at 12.* Sections 64.115(b) and (c) especially hurt small and medium sized IXCs. *One Call Comments at 3.* As HOLD aptly states, the smaller IXCs "simply do not have the huge advertising budgets of the larger carriers," and LOAs in combination with promotional inducements are often the most cost-effective method of reaching customers. *HOLD Comments at 2.*[8/] LDS submits that 64.1150(c) dramatically limits the ability of IXCs to provide needed information on the same form as a LOA. This prohibition of important and pertinent information on LOAs raises marketing costs and adds to consumer confusion. The outright ban on the attachment of an inducement to a LOA in Section 62.1150(d) is burdensome for many of the same reasons. Such a rule would eliminate many effective and legitimate marketing practices that have become fundamental to healthy industry competition. *See e.g., MCI Comments at 7-8; AT&T Comments at 12-13; OSC Comments at 4-5; MidCom Comments at 9; Touch 1 at 7-8.* The proposed rule is overreaching and would serve to inhibit innovative marketing techniques that are necessary for commercial success in a marketplace where smaller carriers operate under "razor" thin profit margins. These nondominant IXCs must have the ability to offer their customers a new variety of creative service

---

[8/] LDS notes that, in fact, there is widespread agreement within the industry -- including large IXCs such as AT&T and MCI -- that adopting rules such as Section 64.1150(b) and (c) would be imprudent.

packages in order to remain competitively and economically viable. *One Call Comments at 7; Touch 1 Comments at 8; TRA Comments at 12.* LDS believes that the very existence of many smaller IXCs may hinge upon whether the Commission decides to impose these burdensome rules.

II. THE COMMISSION SHOULD REFRAIN FROM IMPOSING ADDITIONAL UNNECESSARY REQUIREMENTS ON LOAs

A. Rules Regulating "800" Number PIC Change Calls are Unnecessary

LDS joins the majority of commenting parties in urging the Commission not to apply its telemarketing rules to customer-initiated PIC changes involving "800" number calls. *See e.g., AT&T Comments at 22; One Call Comments at 12; GTE Service Corporation ("GTE") Comments at 5; LDDS Communications, Inc. ("LDDS") Comments at 6; Sprint Comments at 14; Touch 1 Comments at 8; MidCom Comments at 11.* Telemarketing calls differ greatly from "800" number calls in content and in form. As AT&T notes, an 800 call is initiated by a consumer, who is fully in control of the timing and the purpose of the call.[9] *AT&T Comments at 22.* If a customer makes a decision to switch carriers while on the call, then that customer should be permitted to do so. *AT&T Comments at 22; Touch 1 Comments at 8.* Any other approach would be inefficient and contrary to the manner in which customers typically order goods and services by telephone. *AT&T Comments at 15.* Indeed, IXCs rely heavily on the use of "800" numbers as a source of new business. This is no different from the use of "800"

---

[9] Indeed, LDDS aptly points out that consumers initiating "800" PIC-change calls tend to be aware of the impact such a change may have on their service. *LDDS Comments at 6.*

numbers by airlines, hotels, and mail order catalogues. To apply telemarketing rules to this standard and legitimate marketing practice would negatively impact competition and carrier efficiency.

LDS also agrees with Sprint's statement that there is no evidence to support the claim that any significant number of consumers have been "slammed" after a customer initiated call to an IXC's "800" number. Sprint at 15. As Sprint correctly points out, applying telemarketing rules to such customer initiated calls would merely add to the costs of long distance prices for customers. *Id.* Thus, LDS urges the Commission to refrain from applying telemarketing rules to this standard industry practice because it will increase costs and hinder competition.

B. There is No Need to Distinguish Between Residential and Business Customers

LDS concurs with a number of parties that the Commission should not disrupt the proper balance between consumer protection and IXC flexibility by treating business and residential customers differently. *See One Call Comments at 11; OSP Comments at 5; Sprint Comments at 9-10; General Communications, Inc. ("GCI") Comments at 5.* As these parties correctly observe, additional rules distinguishing business and residential LOAs are unnecessary and may cause added confusion. *Id.* Sprint correctly points out that the problem of LOAs being executed by persons without authority to do so are problems that apply equally to residential and business customers. *Sprint Comments at 10.* LDS agrees with Sprint and One Call that such

authorization problems are internal to the customer, and should not be addressed by imposing additional regulations on IXCs.[10/]

III. INCONSISTENT STATE REGULATIONS MUST BE PREEMPTED

LDS is joined by a host of commenters in urging the Commission to preempt inconsistent state PIC change regulations. *See, e.g., Sprint Comments at 4; LDDS Comments at 2-3; ACTA Comments at 11-13; OSC Comments at 10-13; CompTel Comments at 11-12; ACC Corp. Comments at 7.* LDS urges the Commission to take heed of LDDS's warning that a failure to establish a consistent nationwide PIC-change policy could result in a patchwork of rules and regulations. *LDDS Comments at 3.* Such inconsistent state regulation would cause customer confusion, and is not in the public interest. LDS, therefore, respectfully requests the Commission to preempt any inconsistent regulations proposed by states.

LDS is concerned that inconsistent state regulations could result in expensive and difficult compliance problems. Such a development could undercut the Commission's well-grounded practice of allowing IXC marketing flexibility and cause customer confusion.[11/] *CompTel Comments at 11.* Inconsistent state regulations

---

[10/] LDS supports OSC's recommendation that the customer authorization problem be addressed by requiring LECs to provide billing account name/authorized individuals to IXCs. *OSC Comments at 6.* LDS agrees with OSC that unwanted PIC changes could be greatly reduced if such information were made available to IXCs at a reasonable price.

[11/] *See Petition for an Expedited Declaratory Ruling Filed by National Association for Information Services, Audio Communications, Inc., and Ryder Communications,*

(continued...)

could cause difficulty in developing nationwide marketing campaigns. Rather than embarking on a cost-effective nationwide marketing campaign, IXCs would be forced to develop specific marketing campaigns on a state-by-state basis, resulting in dramatically increased costs that would ultimately need to be passed on to consumers. *LDDS Comments at 3.* Such costs would have the greatest detrimental effect on smaller IXCs,[12] and the concomitant restraint on their competitive abilities could very well place the viability of smaller IXCs at risk.

PIC change regulations applied on a uniform, nationwide basis will permit carriers to administer their marketing practices. LDS therefore respectfully submits that the Commission must preempt inconsistent state rules and regulations. Such an action would be consistent with applicable law, and is in the public interest because customer confusion would be reduced and carriers would not be subject to unnecessary administrative expense.

IV. CUSTOMERS SHOULD PAY FOR REASONABLE CHARGES IN CASES INVOLVING PIC CHANGE DISPUTES

LDS fully supports the idea that consumers should be reimbursed for losses resulting from unauthorized PIC changes. However, OCS correctly points out that

---

[11](...continued)
Inc., Memorandum Opinion and Order on Reconsideration, FCC 94-358 (Released Jan. 24, 1995) (Commission affirmed its prior order preempting South Carolina 900 "pay-per-call" blocking requirements because they "are significantly more restrictive than federal rules and would disserve the public interest by hindering rather than promoting the general availability of interstate 900 services.")

[12] Telecommunications Company of America ("TELCAM") and One Call correctly recognize that even minimal increases in marketing costs can jeopardize a small IXC's ability to stay in business. *TELCAM Comments at 2; One Call Comments at 3.*

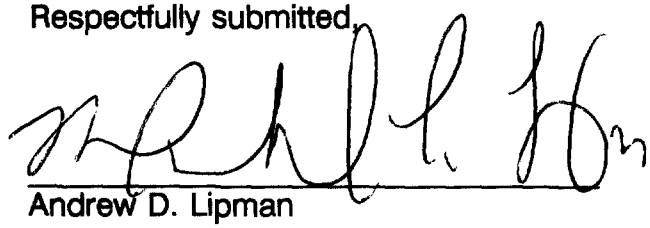
these unauthorized changes frequently occur for many reasons other than because of deceptive IXC practices. *OCS Comments at 7.* In fact, IXCs incur significant costs due to unauthorized PIC changes which often occur because of LEC error or internal customer confusion. Further, LDS concurs with One Call that a customer should not be relieved of responsibility for calls and charges he or she knowingly incurred, simply because a PIC change error may have taken place. *See One Call Comments at 12.*

Therefore, LDS joins several other commenting parties in suggesting that when an unauthorized PIC change occurs and the customer uses the service of the new carrier, the customer should be responsible for payment of charges to the new carrier up to the amount which the previously authorized carrier would have charged. *See e.g., Midcom Comments at 11-13; Hertz Comments at 4; OSC Comments at 7.* LDS submits that by requiring the consumer to only pay this amount, the consumer is made "whole." As LDDS properly recognizes, complete forgiveness is not proper because the customer would become the beneficiary of a windfall -- which could provide an incentive for some consumers to manipulate the compensation system to the detriment of other customers (*i.e.*, the costs of complete forgiveness would be passed on to other consumers). *LDDS Comments at 7.*

V. CONCLUSION

LDS supports the Commission's efforts to encourage clear and unambiguous communication between long distance carriers and their customers. For the foregoing reasons, L.D. Services, Inc. respectfully submits that Commission should revise its rules as described herein and maintain its long-standing policy of formulating rules that properly balance the need for consumer protection vis-a-vis the encouragement of legitimate IXC marketing efforts.

Respectfully submitted,



Andrew D. Lipman
Michael C. Wu

SWIDLER & BERLIN, Chartered
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007
(202) 424-7618

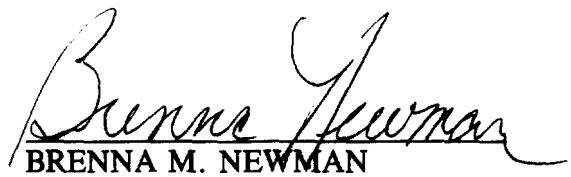
Attorneys for L.D. Services, Inc.

February 8, 1995

135758.1"

CERTIFICATE OF SERVICE

I, Brenna M. Newman, hereby certify that a copy of the foregoing Reply Comments has been sent by United States First Class Mail, postage prepaid, unless otherwise noted, to all parties listed in the foregoing Reply Comments on this 8th day of February, 1995.



BRENNA M. NEWMAN

136018.1

ALLNET COMMUNICATIONS SERVICE
ROY L. MORRIS
REGULATORY COUNSEL
1990 M STREET, NW - SUITE 500,
WASHINGTON, D.C. 20036

HERTZ TECHNOLOGIES, INC.
REBECCA L. REED
TARIFF ANALYST
5601 NORTHWEST EXPRESSWAY
OKLAHOMA CITY, OK 73132

FORMAL COMPLAINTS BRANCH
FEDERAL COMMUNICATIONS COMM.
ENFORCEMENT DIVISION
COMMON CARRIER BUREAU
PLAZA LEVEL
1250 23RD STREET, N.W.
WASHINGTON, D.C. 20554

INTERNATIONAL TRANSCRIPTS SERVICES
ROOM 140
2100 M STREET, N.W.
WASHINGTON, D.C. 20037

CHARLES C. HUNTER
HUNTER & MOW, P.C.
1620 I STREET, N.W.
SUITE 701
WASHINGTON, D.C. 20006

GENEVIEVE MORELLI
VICE PRESIDENT AND
GENERAL COUNSEL
THE COMPETITIVE TELECOMMUNICATIONS
ASSOCIATION
1140 CONNECTICUT AVE., N.W.
SUITE 220
WASHINGTON, D.C. 20036

DANNY E. ADAMS
STEVEN A. AUGUSTINO
WILEY, REIN & FIELDING
1776 K STREET, N.W.
WASHINGTON, D.C. 20006

KATHLEEN M.H. WALLMAN
CHIEF, COMMON CARRIER BUREAU
FEDERAL COMMUNICATIONS COMMISSION
2033 M STREET, N.W., ROOM 918
WASHINGTON, D.C. 20554

A. RICHARD METZGER
DEPUTY BUREAU CHIEF
COMMON CARRIER BUREAU
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W., ROOM 500
WASHINGTON, D.C. 20554

KATHLEEN LEVITZ
DEPUTY BUREAU CHIEF
COMMON CARRIER BUREAU
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W. ROOM 500
WASHINGTON, D.C. 20554

CHARLES H. HELEIN
HELEIN & WAYSDORF, P.C.
GENERAL COUNSEL
AMERICA'S CARRIERS TELECOM.
1850 M STREET, N.W.
WASHINGTON, D.C. 20036

CHARLES H. HELEIN
JULIA A. WAYSDORF
HOMEOWNERS LONG DISTANCE, INC.
1850 M STREET, N.W.
WASHINGTON, D.C. 20036

MICHAEL J. SHORTLEY,III
ATTORNEY FOR FRONTIER COMMUNICATIONS
FRONTIER COMMUNICATIONS INTERN.
180 SOUTH CLINTON AVENUE
ROCHESTER, NEW YORK 14646

CATHERINE R. SLOAN, ESQ.
VICE PRESIDENT, FEDERAL AFFAIRS
LDDS COMMUNICATIONS, INC.
1825 EYE STREET, NW
SUITE 400
WASHINGTON, D.C. 20006

KATHY L. SHOBERT
FORMAL COMPLAINTS BRANCH
ENFORCEMENT DIVISION
COMMON CARRIER BUREAU
PLAZA LEVEL
1250 23RD STREET, N.W.
WASHINGTON, D.C. 20554

ITS
2100 M STREET, N.W.
SUITE 140
WASHINGTON, D.C. 20037

LEON M. KESTENBAUM
H. RICHARD JUHNKE
1850 M STREET, N.W.
11TH FLOOR
WASHINGTON, D.C. 20036

FORMAL COMPLAINTS BRANCH
ENFORCEMENT DIVISION
COMMON CARRIER BUREAU
FEDERAL COMMUNICATIONS COMM.
1250 23RD STREET, N.W.
PLAZA LEVEL
WASHINGTON

LEON M. KESTENBAUM
H. RICHARD JUHNKE
1850 M STREET, N.W.
11TH FLOOR
WASHINGTON, D.C. 20036

WILBERT E. NIXON, JR.
FEDERAL COMMUNICATIONS COMM.
1250 23RD STREET, N.W.
ROOM 100
WASHINGTON, D.C. 20554

PETER ARTH, JR.
EDWARD W. O'NEILL
ELLEN S. LEVINE
STATE OF CALIFORNIA AND THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

WILLIAM J. COWAN
GENERAL COUNSEL
NEW YORK STATE DEPARTMENT
OF PUBLIC SERVICE
THREE EMPIRE STATE PLAZA
ALBANY, NEW YORK 12223-1350

ROBERT W. GEE
KARL R. RABAGO
SARAH GOODFRIEND
PUBLIC UTILITY COMMISSION OF TEXAS
7800 SHOAL CREEK BLVD.
AUSTIN, TX 78757

WILLIAM TERRY MILLER
SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JOHN H. CARLEY
DEPUTY ATTORNEY GENERAL
PUBLIC ADVOCACY
STATE OF NEW YORK
DEPARTMENT OF LAW
120 BROADWAY
NEW YORK, NY 10271

DAVID J. GILLES
ASSISTANT ATTORNEY GENERAL
OFFICE OF CONSUMER PROTECTION
123 WEST WASHINGTON AVENUE
P.O. BOX 7856
MADISON, WI 53707-7858

KIRK SMITH
PRESIDENT
OPERATOR SERVICE COMPANY
1624 TENTH STREET
LUBBOCK, TX 79401

KATHY SHOBERT
DIRECTOR, FEDERAL AFFAIRS
901 15TH STREET, N.W.
SUITE 900
WASHINGTON, D.C. 20005

ROBERT M. LYNCH
DURWARD D. DUPRE
J. PAUL WALTERS, JR.
SOUTHWESTERN BELL TELEPHONE
COMPANY
ONE BELL CENTER, SUITE 3520
ST. LOUIS, MISSOURI 63101

RANDALL B. LOWE
PIPER & MARBURY
1200 19TH STREET, N.W.
WASHINGTON, D.C. 20036